



Atty. Dkt. No. 081356-0223

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ryoichi KIYAMA *et al.*
Title: USE OF KIAA0172 GENE IN TREATMENT
AND DIAGNOSIS OF DISEASES AS WELL
AS IN PHARMACEUTICAL
DEVELOPMENT
Appl. No.: 10/509,738
International Filing Date: 07/26/2002
371(c) Date: 05/18/2005
Examiner: Sean E. Aeder
Art Unit: 1642
Confirmation Number: 3134

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in an Office Action mailed May 10, 2006, applicants provisionally elects Group I claims 1 and 5, both of which recite a KIAA0172 gene-encoded polypeptide.

This election is made with traverse, on grounds elaborated in the remarks below. Subject to the examiner's acceptance of these grounds and his resultant consideration, with the Group I claims, of others that include claims 13 – 18 (see action at page 4, second paragraph), applicants also elect the species characterized by:

- (i) a mutation from CGT to CAT at the 509th codon (claims 13-16); and
- (ii) a C/T polymorphism site for the third nucleotide of codon number 453 (claims 17 and 18).